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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 JOSHUA McCABE,)

10 Plaintiff,)

11 vs.)

12 DR. SCOTT, *et al.*,)

13 Defendants.)
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3:10-cv-00630-LRH-RAM

ORDER

15 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state
16 prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the
17 complaint. Plaintiff must either submit the filing fee for this action or an application to proceed *in*
18 *forma pauperis*.

19 **IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice to the
20 filing of a **new complaint in a new action**. The Clerk of the Court shall enter judgment
21 accordingly.

22 **IT FURTHER IS ORDERED** that the Clerk of the Court shall send plaintiff two copies of
23 an *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two
24 copies of a blank 42 U.S.C. § 1983 prisoner civil rights form, and one copy of instructions for the
25 same.

26 Dated this 16th day of December, 2010.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE